

Tapes Are Seen as Missing

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In the House Judiciary Committee's chronology of evidence against President Nixon, several of the absent White House tapes stand out as missing pieces of the impeachment puzzle.

Although Mr. Nixon has repeatedly insisted that the committee needs no additional evidence, if the 64 tapes the Supreme Court ordered released to Special Prosecutor Leon Jaworski eventually do become part of the impeachment evidence, they would almost certainly shed more light on several of committee counsel John Doar's charges, such as:

- The President's personal involvement in moves by White House aides H. R. Haldeman, John D. Ehrlichman and John W. Dean III

that temporarily sidetracked aspects of the initial FBI investigation of the Watergate break-in.

- The President's possible concern prior to his famous March 21, 1973, conversation with Dean that the cover-up was coming unraveled.

- Any complicity by Mr. Nixon in payments of hush money to Watergate conspirator E. Howard Hunt Jr.

- Any moves by Mr. Nixon to misuse grand jury information to help Haldeman and Ehrlichman frustrate the investigation of themselves.

According to Doar's theory of the case, President Nixon personally set in motion the Watergate cover-up the week of June 19, two days after the break-in occurred, and his top aides carried out the plan. The President became directly

involved again after the cover-up began to unravel in 1973.

During the week following the Watergate break-in, according to the Judiciary Committee's evidence, Haldeman, Ehrlichman and Dean moved swiftly to limit the FBI's investigation—particularly the FBI's probe of the Mexican money "laundry" that could trace the money that financed the break-in back to the Committee for the Re-Election of the President.

On June 23, according to Doar, the President's aides summoned CIA officials to raise specious objections to the FBI's investigation. The ploy worked until July 6, 1972, when acting FBI director L. Patrick Gray III finally learned there were no bona fide CIA objections.

According to Doar's summary of information, this

"plan of containment prior to the election had the full approval of the President". As evidence, Doar includes references to taped conversations where Mr. Nixon tells his aides to "cut the loss," or to "button it up."

That conclusion, of course, is disputed by the White House.

The one piece of taped evidence on the President's first known conversation with Haldeman concerning Watergate was obliterated by the 18½-minute gap in the June 20 tapes, which court-appointed experts concluded was deliberate.

However, three additional recordings exist of conversations between the President and Haldeman on June 23, before and after the first meeting between Haldeman, Ehrlichman and CIA officials. These recordings, which the President has

Pieces of Impeachment Puzzle

withheld from the Judiciary Committee, are among the 64 subpoenaed by Jaworski.

The batch of tapes also includes several conversations between Mr. Nixon and his aides during March, 1973, prior to the March 21 discussion which the President insists was the first time he heard about the cover-up.

On March 17, 1973, the President spoke with Dean about Haldeman's Watergate involvement, telling Dean among other things, "We've got to cut that off; we can't have that go to Haldeman." The remark occurs in a portion of the tape the White House has withheld from the Judiciary Committee. The committee is aware of the discussion only because Mr. Nixon referred back to it in a subsequent conversation with

press secretary Ronald L. Ziegler June 4.

Also among the 64 tapes are two conversations between the President and Ehrlichman on March 20 and 21 and one conversation with former presidential aide Charles W. Colson on March 19. At the time of those conversations, both Colson and Ehrlichman were already aware of Howard Hunt's hush money demands. The Judiciary Committee staff documents indicate that the staff suspects Mr. Nixon could have discussed the hush money in one or more of those conversations, contrary to his insistence that he learned of the demand in his session with John Dean on March 21.

The summary of information prepared by Doar points to the last two weeks in April, 1973, during which

President Nixon was in regular contact with Assistant Attorney General Henry E. Petersen, pressing Petersen for information on the case against the President's men.

Mr. Nixon also met frequently with Haldeman during this period, according to the committee evidence, to help Haldeman "prepare a strategy" to counter the information the prosecutors were getting from Dean.

Several of the Nixon-Haldeman conversations are among the 64, including one five-hour discussion April 26 in which Haldeman reported to the President on the content of several tapes. The tape of that conversation has been withheld; others between Haldeman and the President were made available in the form of edited transcripts.

Although there is substantial overlap between the Ja-

worski tapes and those subpoenaed by the Judiciary Committee, the tapes the Supreme Court ruled on yesterday deal only with evidence needed by the prosecution in the investigation of the Watergate break-in and cover-up.

Virtually the entire list of 64 tapes subpoenaed by Jaworski is also being sought by the House Judiciary Committee.

The Judiciary Committee, however, has subpoenaed a total of 147 tapes. Even if the committee—or the full House or Senate—eventually obtains copies of the 64 Watergate tapes, there are dozens of additional subpoenaed tapes relating to the ITT and milk deals, the misuse of the Internal Revenue Service and other agencies, domestic surveillance, and other charges.